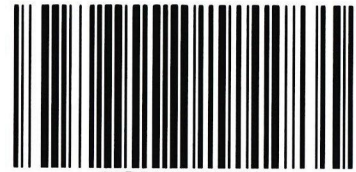


The Department of Planning, Industry and Environment
Locked Bag 5022,
PARRAMATTA, NSW 2124



PCU079635

Dear Sir,

Re: Planning Proposal Pre Gateway Review No. 33 Morshead Road, Mount Annan

Please find attached a duly completed application (Refer to Attachments A1 and A2 for a Pre-Gateway Review in respect of a Planning Proposal Request – Volumes 1 and 2 (Refer to Attachment “B” – Separate) recent supported by the Camden Local Planning Panel (Refer to minutes forming Attachment “C”) refused by Camden Council notwithstanding a positive recommendation by Council staff (Refer to Attachments “D1” and “D2” – Separate)

Reproduced as Annexure “I” in Volume 2 Attachment “B” is supporting Urban Design Report prepared by AE Design in response to Council S initial concern with the Indicative Layout Plan (ILP).

Department of Planning
Received
1 JUN 2020
Scanning Room

The ILP was subsequently further received in response to continued Council feedback and forms part of the final version of the Planning proposal Request considered by Council and contained in Council’s Report of 14 April 2020.

In conclusion, I stress that the strategic merit and site specific merit of the Planning Proposal have been demonstrated in my submitted Planning Proposal Request; with such view being supported by the Camden Local Planning Panel (18 February 2019) and Council Staff Report (14 April 2020). The material is reproduced separately as Attachment “E” to this cover letter and includes an update having regard to the recent adoption of the Camden Local Planning Strategy.

The capacity to add a compatible infill alternative housing product is accordingly broadly championed and the subject of your earnest consideration in this Pre Gateway Review.

Finally, Council did not record any specific grounds for not supporting the Planning Proposal (Refer to Council Minutes at Attachment “D”, a situation which was reinforced in Council’s communication to the Applicant of its decision (Refer to Attachment “F”).

Should you require clarification of any aspect of this Pre Gateway Review Request please do not hesitate to contact me.

FACILITATING OPTIMUM PLANNING OUTCOMES

Environmental Planning • Property Development • Strategic Planning • Corporate Planning

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'G. Pascoe', with a horizontal line extending to the right.

Graham G. Pascoe JP
Registered Planner (PIA), FIAG
26 May 2020

ATTACHMENT AA
REZONING REVIEW APPLICATION FORM (A1)
(AND OWNER ENDORSEMENT) (A2)



Rezoning Review Application Form

Date received:

Reference No.

LODGEMENT

Instructions to users

This form is to be completed if you wish to request an independent review of a request for a planning proposal prior to a Gateway determination being issued.

A **Rezoning Review** can be sought before a planning proposal has been submitted to the Department of Planning and Environment (Department) for a Gateway determination in the following circumstances:

- the council has notified the proponent that the request to prepare a planning proposal is not supported; or
- the council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information¹ or has failed to submit a planning proposal for a Gateway determination within a reasonable time after the council has indicated its support.

Before lodging a request for review, it is recommended that you consult the Planning Circular '*Independent reviews of plan making decisions*' and '*A guide to preparing local environmental plans*', which can be found on the Department's website www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning/The-Gateway-Process. The guide gives a step-by-step explanation of the review procedure and submission requirements.

To ensure that your request for review is accepted, you must:

- complete **all** relevant parts of this form
- submit **all** relevant information required by this form, including the **initial fee**.
- provide **one hard copy** of this form and required documentation
- provide the form and documentation in **electronic format** (e.g. CD-ROM)

Note: Requests for review will not proceed to initial assessment stage unless the correct fee is provided.

All requests **should be lodged** with the Department's relevant Regional Office. Please refer to www.planning.nsw.gov.au for contact details.

PART A – APPLICANT AND SITE DETAILS

A1 – Applicant Details

Principal contact

☒ Mr ☐ Ms ☐ Mrs ☐ Dr ☐ Other

First name

GRAHAM

Family name

PASCOE

Name of company (N/A if an individual)

Pascoe Planning Solutions Pty Intl

Street address

Unit/street no.

8

Street name

Feld Avenue

Suburb/town

ENDERSLIE

State

NSW

Postcode

2570

Postal address
(or mark 'as
above')

PO Box or Bag

PO BOX 774

Suburb or town

CAMDEN

State

NSW

Postcode

2570

Daytime telephone

mobile

Fax

Email

graham@pascoeplanning.com.au

Mobile

0431 519 128

¹ 'A guide to preparing planning proposals' sets out what information a proponent may provide when requesting council to prepare a planning proposal. Information requirements will depend on the complexity of the planning proposal. Section 3.33 of the Act sets out what information a planning proposal is to include when submitted for a Gateway determination.

A2 – Site Details

Identify the land that is to be the subject of the planning instrument and for which you seek a review

Unit/street no.	Street name	
33	MORSEHEAD ROAD	
Suburb/town	State	Postcode
MOUNT ANNAN	NSW	2567

NAME OF THE SITE

No. 33 marsehead Road, Mount Annan

REAL PROPERTY DESCRIPTION

Lot 71 / DP 702819 (No. 33) marsehead Road, Mount Annan

*The **real property description** is found on a map of the land or on the title documents for the land. If you are unsure of the real property description, you should contact the Department of Finance and Services, Land and Property Information. Please ensure that you place a forward slash (/) to distinguish between the lot, section DP and strata numbers. If the proposal applies to more than one piece of land, please use a comma (,) to distinguish between each real property description.*

PROVIDE DETAILS OF ALL AFFECTED LANDOWNERS WHERE THEY ARE NOT THE DIRECT APPLICANT

HAVE ALL OWNERS OF LAND TO WHICH THIS PROPOSED INSTRUMENT APPLIES BEEN NOTIFIED?

- ☒ Yes
☐ No
☐ Some have but not all
☐ N/A (Applicant is owner)

Note: If some land owners, but not all, have been notified, list below those notified:

CURRENT ZONING OF THE LAND AT THE SITE

CLEP 2010 - R2: Low Density Residential

CURRENT LAND USE AT THE SITE

Vacant residential land with dwelling situated thereon.

PART B – REASON FOR REVIEW AND THE PLANNING PROPOSAL

B1 – Reason for Rezoning Review and the Planning Proposal Authority (PPA)

Indicate below the reason for seeking a rezoning review. A review can only proceed if either of these two circumstances has occurred.



The council has confirmed in writing that the request to prepare a planning proposal is not supported. Confirmation dated



The council has failed to indicate its support 90 days after the proponent submitted a request, accompanied by the required information² or has failed to submit a planning proposal for a Gateway determination within a reasonable time after the council has indicated its support.

Indicate below whether the request to prepare a planning proposal was submitted to the council prior to November 2012?

- ☐ Yes
☒ No

Date:

Note: If you have answered 'yes' to the above question, please note that a review can only be sought where the supporting information accompanying the request is less than two years old.

Note: If you have answered 'no' to the above question, please note that a review request accompanied by information that is more than 2 years old, may, but will not normally, be considered.

NAME OF THE LOCAL GOVERNMENT AREA

CAMDEN COUNCIL

² 'A guide to preparing planning proposals' sets out what information a proponent may provide when requesting council to prepare a planning proposal. Information requirements will depend on the complexity of the planning proposal. Section 3.33 of the Act sets out what information a planning proposal is to include when submitted for a Gateway determination.

CONTACT DETAILS OF THE RELEVANT OFFICER AT COUNCIL

Mr Thomas Soccio (Thomas.Soccio@camden.nsw.gov.au) 46455647

B2 – The Proposed Instrument

DESCRIPTION OF PROPOSED INSTRUMENT

Amend CLEP 2010 minimum lot size to 250m² and zoning to R3 - medium density Residential

LOCAL ENVIRONMENTAL PLAN (LEP) TO BE AMENDED BY THE PROPOSED INSTRUMENT

Garden Local Environmental Plan 2010

IS THE LEP TO BE AMENDED (ABOVE) A STANDARD INSTRUMENT LEP?

- ☒ Yes
☐ No

INFORMATION REQUIREMENTS

A proponent may request a review by writing to the Department and providing the following:

- a completed application form;
- a copy of the proponent's request for the council to prepare and submit a planning proposal for Gateway determination, including all supporting material and information that was submitted to Council (Note: A planning proposal request which has been amended after Council has resolved to not support the matter is not eligible for a Rezoning Review. The revised planning proposal request would need to be submitted to Council as a new planning proposal request);
- all correspondence from the council in relation to the proposed instrument, including (if relevant) a copy of the council's advice detailing why the council did not proceed with preparing a planning proposal;
- all correspondence from other Government agencies, if available, about the proposed instrument;
- proponent's justification to the Strategic and Site Specific Merit tests (refer to Step 2 of the Rezoning Review process set out in 'A guide to preparing local environmental plans'), to confirm why a review is warranted;
- disclosure of reportable political donations under section 10.4 of the Act, if relevant; and
- fee for lodging a rezoning review.

INFORMATION PROVIDED

List below all the documents, maps, plans, studies, information and any other supporting information that comprises your proposed instrument and request for rezoning review.

Planning Proposal Request (+ Annexures), Council Report (+ Attachments)
Council minutes (Refer to list of Attachment "A")

PART C – PAYMENT, DISCLOSURE AND SIGNATURES

C1 – Application Fees

You are required to pay a fee on lodgement of your request. The relevant fee is confirmed on the Department's website www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning

Please note that a further fee payment shall be required if a Planning Panel or the Secretary of the Department of Planning and Environment is appointed as an alternate planning proposal authority. Further details can be found within 'A guide to preparing local environmental plans' and the Planning Circular 'Independent reviews of plan making decisions'

Payment methods:

- Cheque / bank order

C2 – Donation and Gift Disclosure

Section 10.4 of the Environmental Planning and Assessment Act 1979 requires the public disclosure of *reportable political donations* or gifts when lodging or commenting on a *relevant planning application*. This law is designed to improve the transparency of the planning system.

DO YOU HAVE ANY DONATIONS OR GIFTS TO DISCLOSE?

- ☐ Yes
☒ No

How and when do you make a disclosure?

The disclosure to the Minister of a *reportable political donation* or gift under section 10.4 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning submission if the donation is made before the submission is made, or

- (b) if the donation is made afterwards, in a statement of the person to whom the relevant planning submission was made within 7 days after the donation is made.

What information needs to be included in a disclosure?

The information requirements of a disclosure of reportable political donations are outlined in section 10.4(9) of the Act. A Disclosure Statement Template which outlines the information requirements for disclosures to the Minister or to the Director-General can be found on the department's website: www.planning.nsw.gov.au/Assess-and-Regulate/Development-Assessment/Systems/Donations-and-Gift-Disclosure

C3 – Signature(s)

By signing below, I/we hereby declare that all information contained within this application form is accurate at the time of signing.

Signature(s)



Name(s)

Graham Gordon PASCOE

In what capacity are you signing

Consultant Town Planner (Applicant for Review)

Date

36 May, 2020

The Department of Planning, Industry and Environment
Locked Bag 5022,
PARAMATTA, NSW 2124

Dear Sir,

Re: Planning Proposal Pre Gateway-Review - No. 33 Morshead Road, Mount Annan

This letter seeks to confirm that, as Owners/Directors of the ownership company ---- Mt Annan Investments Pty Ltd, we authorise Mr Graham Pascoe of Pascoe Planning Solutions Pty Ltd to submit a Pre Gateway Review Application in respect of the recent Council determination of the Planning Proposal compiled by Mr Pascoe's firm and dated October 2018 (Amended December 2019)

Additionally, it is noted in accordance with Section 10.4 of the Environmental Planning and Assessment Act, 1979 that we have not made a "reportable donation or gift".

Yours sincerely,

Mr Rodney Ghalie, Director of Mt Annan Investments Pty Ltd

Signed



Dated 25 May 2020

Contact: Mr Rodney Ghalie 7.5/2-4 Dawn Fraser Ave Sydney Olympic Park NSW 2127

(Mobile: 0404 487 847 E mail: rodny@citywidelpi.com.au)